

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RAFAEL ESTRADA,

Plaintiff,

v.

JOSEPH J. WASS, et al,

Defendants.

CIVIL ACTION NO. 3:10-CV-1560

(JUDGE CAPUTO)

MEMORANDUM

On April 16, 2012, the Court ordered the Flying J Defendants to reproduce a corporate deponent pursuant to Federal Rule of Civil Procedure Rule 30(b)(6). In that Order, the Court further decreed that the Flying J Defendants' Motion for Summary Judgment would be held in abeyance pending that additional discovery. However, in light of the additional discovery now being conducted and the likelihood that new briefs will be required on that Motion, and that this matter has been moved to the September 2012 trial list, the Flying J Defendants' Motion for Summary Judgment (Doc. 40) is now deemed withdrawn without prejudice to refile by June 19, 2012. An appropriate order follows.

May 31, 2012
Date

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge